

**[Note:** *No updated information has been received and no application for a Special permit amendment has been filed, so I am providing last month's report without change.***]**

**PROPOSAL:**

Kevin Rhinehart requests a certificate of appropriateness for work at 1717 D Street, the Myron Wheeler House, a designated landmark.

**DISCUSSION:**

The Wheeler House is a frame, Queen Anne style house built circa 1891 for Myron and Cora Wheeler. Wheeler was a prominent court reporter.



The house was designated as a landmark and a special permit was granted to use the house for three dwelling units in January 2013.

To complete that work, Mr. Rhinehart has requested to add a second egress route for the second floor units. (See attached plans.) The proposal is to add a window to the west wall above the front porch, accessing a wooden balcony to be added above the porch roof, connecting to the small upper porch inset at the northwest corner of the house. That porch would be modified to access a steel staircase extending down (towards the south) 23' along the west side of the house. The staircase would be 2'9" away from the west wall and approximately two feet from the west property line.

This modification would be highly visible from D Street and the public sidewalk. It would insert a window into the field of decorative shingles on the west wall and would require modification of both the north and west walls of the small upper porch.



The preservation guidelines for the Wheeler House (under Alterations) state that “Additions shall complement the style of the structure with being subordinate to the original structure...” and that “The appearance of the north, east and west facades of the building shall not be altered unless the design is sensitive to the historic and architectural character of the building. Materials and architectural details used in such alterations and additions shall complement those on the existing building.” Under “Openings,” the guideline states “Additional openings, or changes in the size of existing openings, shall not be made unless the change is compatible with the style and period of the building.”

The proposals do not meet the guidelines. Staff recommends that a certificate of appropriateness not be approved.

Mr. Rhinehart’s purpose is to meet the code requirement for two well-separated egress routes from the second floor dwelling units. He is also seeking to minimize alteration to finished spaces in those apartments and still meet square footage, light and ventilation, and other requirements of bedrooms.

He plans to attend the Commission meeting to seek the Commission's input and to explain his proposal. The Commission may consider whether his circumstances align with the preservation ordinance's "certificate of exception on the ground of insufficient return or hardship."

That section states that the Commission:

*(b) May issue a certificate of "exception on the ground of insufficient return or hardship" if it finds that the landmark or property within the landmark district cannot yield a reasonable return if the proposed work is not permitted, that the plight of the applicant is due to unique circumstances, and that the hardship is the result of the application of the ordinance and is not the result of any act or omission by the applicant;*

There appears to be a challenge in this case of reconciling the preservation guidelines and life-safety codes, but the hardship is at least in part the result of the act or omission of the owner in finishing the apartment interiors without sufficient prior planning of how to balance the various requirements. The Commission should weigh Mr. Rhinehart's testimony and explore with him possible alternatives. At the present time I do not have sufficient information on hand to recommend the certificate of exception.

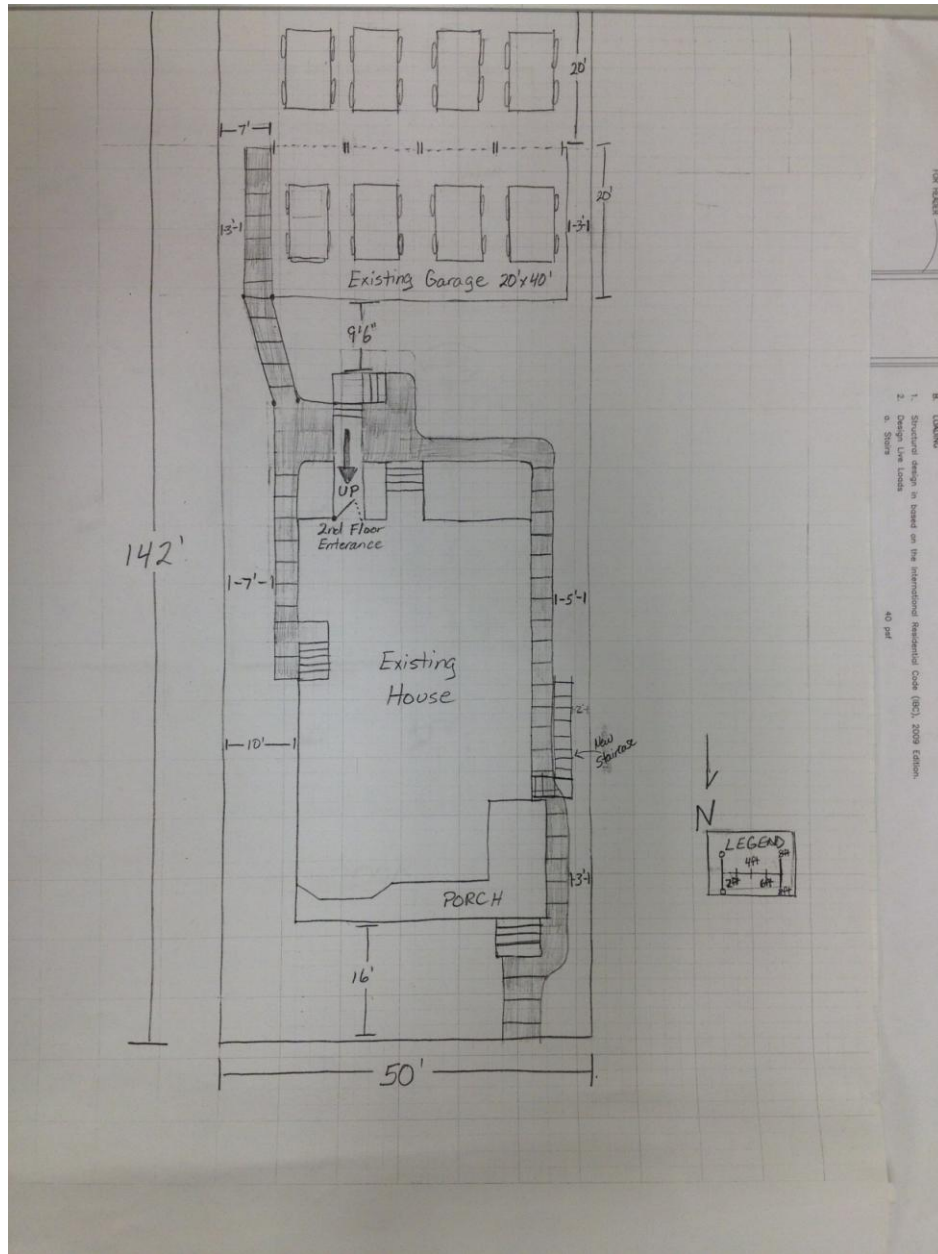
As the Commission is aware, a possible course of action is to deny a certificate of appropriateness and seek alternatives during the 90 day waiting period before possible issuance of a certificate of allowance. In this instance, where the opportunity to offer three dwelling units in the building is granted through a Special Permit for Historic Preservation, during the waiting period consideration would have to be given to taking steps to revoke the Special Permit if its conditions cannot be met.

**Recommended finding:**

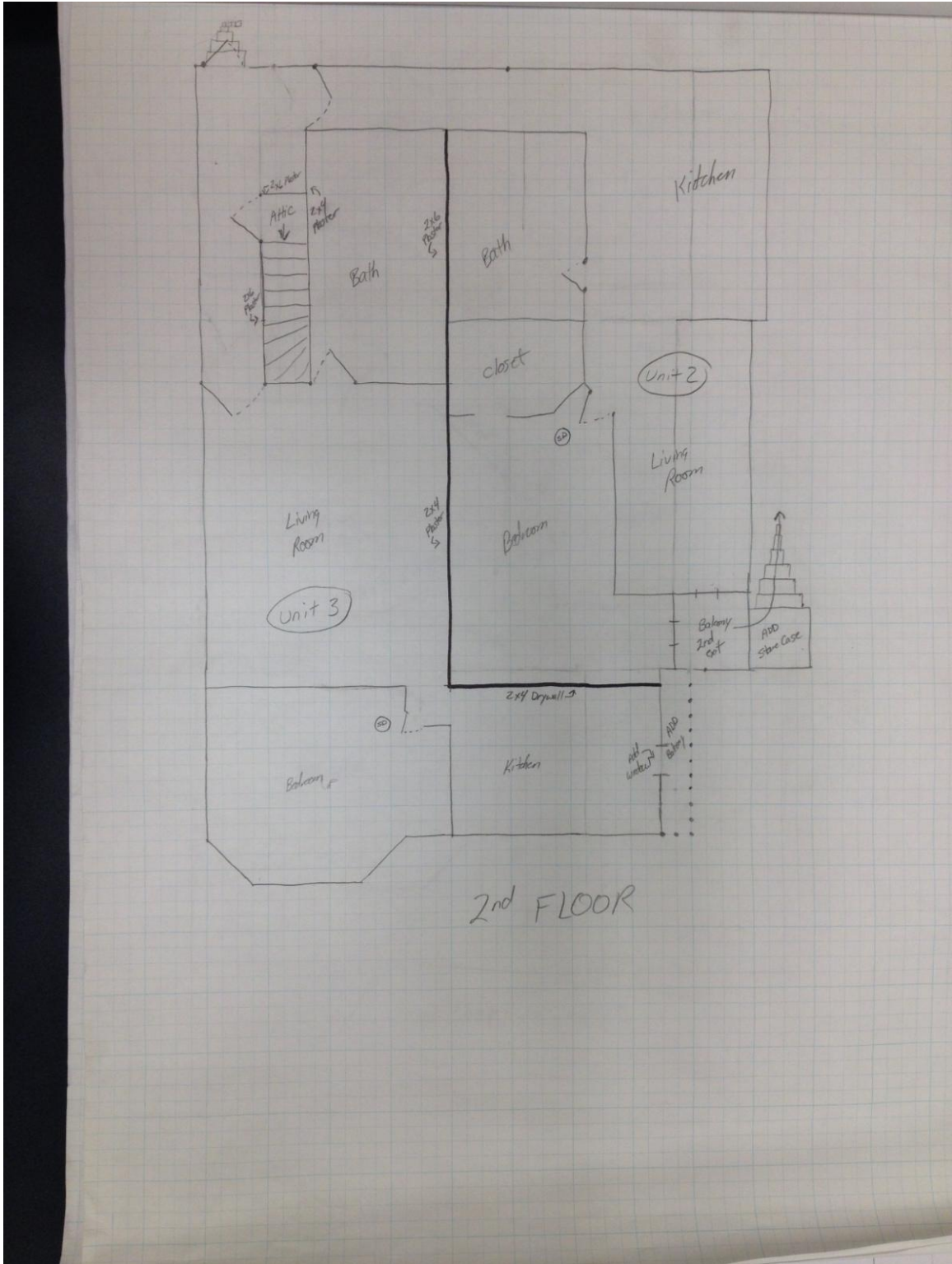
*The proposed work is not consistent with the landmark's guidelines.*

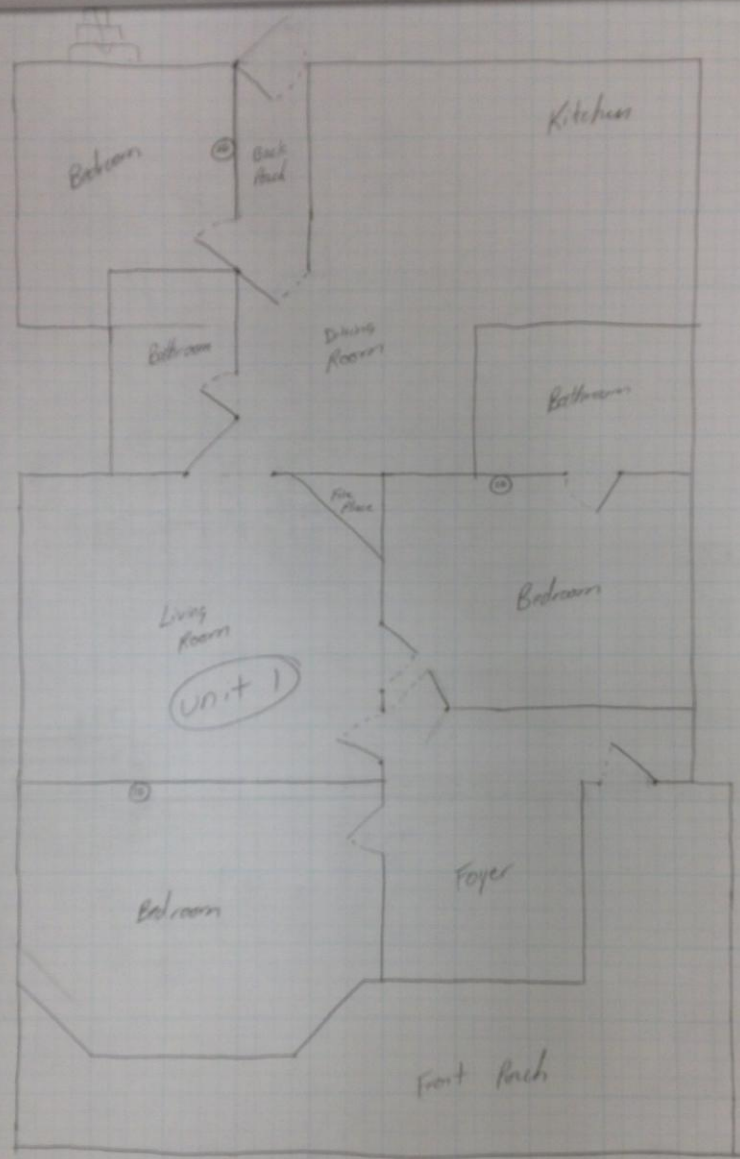
**Recommended action:**

*Denial of a certificate of appropriateness.*





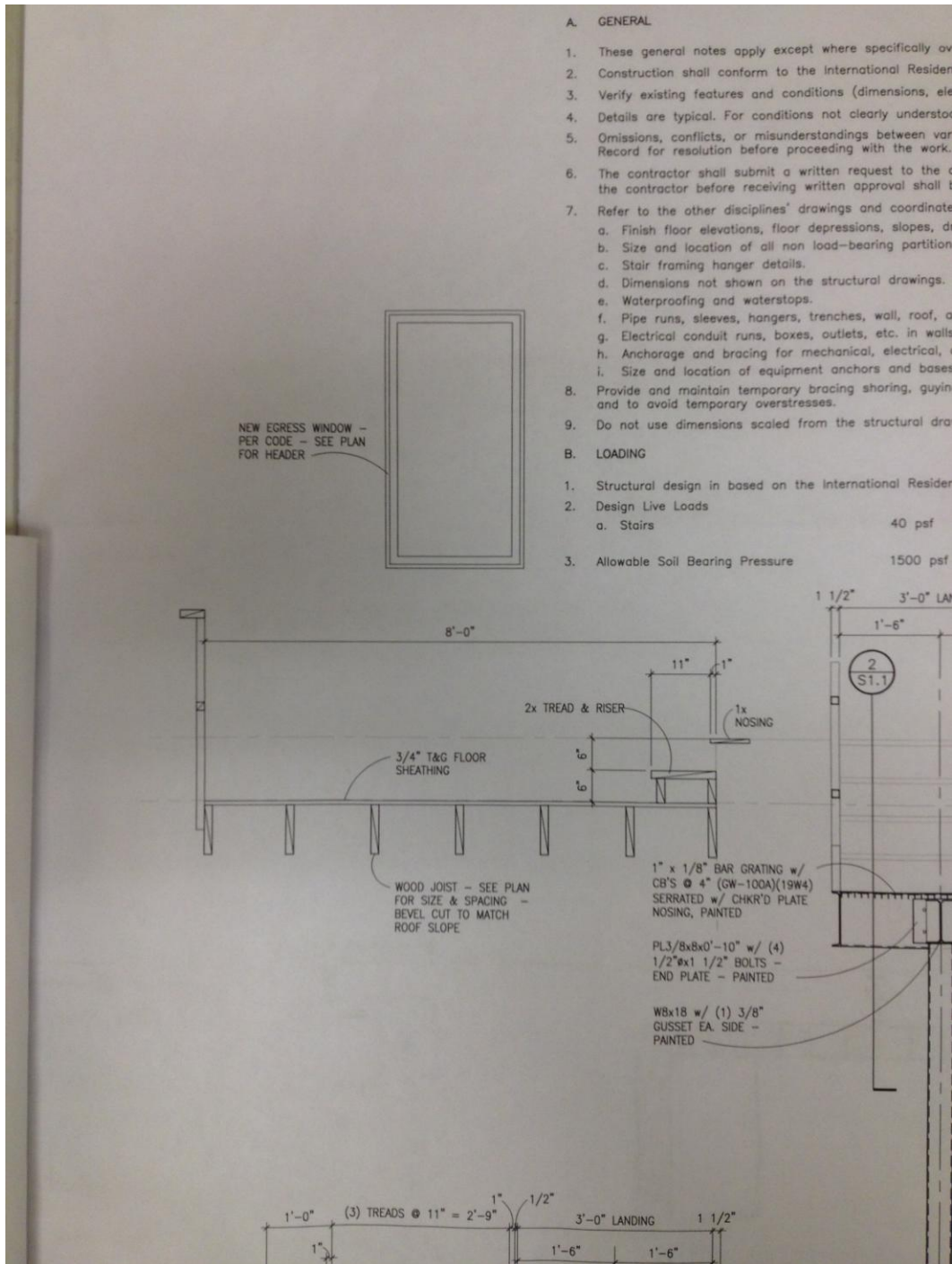




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